

PROCEEDINGS OF THE CITY-PARISH COUNCIL MEETING OF THE CITY-PARISH OF LAFAYETTE, STATE OF LOUISIANA, TAKEN AT A REGULAR MEETING OF JUNE 24, 2003.

ATTENDANCE

COUNCIL: Jerry Trumps (Chair - District 6), Robert Castille (Vice Chair - District 2), Bobby Badeaux (District 1), Chris Williams (District 3), Lenwood Broussard (District 5), Marc Mouton (District 7), Rob Stevenson (District 8), Randy Menard (District 9)

ABSENT: Louis C. Benjamin, Jr. (District 4)

COUNCIL STAFF: Norma Dugas (Clerk of the Council), Veronica Williams (Assistant Clerk), Monica Fontenot (Administrative Assistant)

ADMINISTRATIVE STAFF: Walter S. Comeaux, Jr. (City-Parish President), Glenn Weber (CAO), Steve Dupuis (City-Parish Attorney), Chief Ronald Boudreaux (Police Department), Chief Robert Benoit (Fire Department), Terry Huval (Director of Utilities), Benny Soulier (Director of Administrative Services), Robert Benoit (Director of Planning, Zoning & Codes), Tim Breaux (Director of Community Development), Gerald Boudreaux (Director of Parks & Recreation)

COMMENCEMENT

(TAPE 1)(SIDE A)(001)AGENDA ITEM NO. 1: Call to order.

Chair Jerry Trumps called the Regular Council Meeting of June 24, 2003 to order.

(TAPE 1)(SIDE A)(003)AGENDA ITEM NO. 2: Invocation and Pledge of Allegiance.

Councilmember Marc Mouton was called upon to deliver the invocation and lead the Pledge of Allegiance.

At this time, Chair Trumps introduced Mr. Mitch Landrieu who has announced his candidacy for Lieutenant Governor. Mr. Landrieu is currently traveling around the state and gave a brief synopsis of his plans should he be elected.

He also announced that Councilman Benjamin was out of town for business therefore was not present for the meeting.

EXECUTIVE/PRESIDENT'S REPORT

(TAPE 1)(SIDE A)(051)AGENDA ITEM NO. 3: President's Report.

- a. LUS presentation – Hurricane Handbook

Terry Huval, Director of Utilities, presented the Council with the 2003 Hurricane Handbook. The handbook was determined to be of successful use after Hurricane Lili in October 2002. It contains valid and important information for preparation and aftermath of a hurricane. He thanked the Council, LPUA, Administration and other organizations for funding of the project and support. The date for distribution is scheduled for June 26.

AGENDA ITEM NO. 4: CEREMONIAL PRESENTATIONS

- a. Recognize Lafayette High School's participation in the Russian Special Olympics in October (Jerry Trumps)

Due to a scheduling conflict, the participants were not able to attend the meeting but will be scheduled at a later date.

ORDINANCES FOR FINAL ADOPTION

(TAPE 1)(SIDE A)(108)AGENDA ITEM NO. 5: O-129-2003 An ordinance of the Lafayette City-Parish Council amending the Comprehensive Zoning Ordinance, Case No. Z2003-005 (TC) Lighting Requirements Text Change, so as to establish requirements. A motion to approve as amended by

Broussard, seconded by Castille, and the vote was as follows:

YEAS: Badeaux, Castille, Williams, Broussard, Trumps, Mouton, Stevenson, Menard

NAYS: None

ABSENT: Benjamin

RECUSED: None

Motion was approved as amended.

Eleanor Lilly stated the text change was considered to be a longstanding problem that has gotten progressively worse. The concern is with the construction of businesses with lighted parking areas next to neighborhoods. Planning, Zoning & Codes proposal will adjust lighting adjacent to residential properties and has requirements that lighting be directed away from the property. The most important concern is creating height restrictions. Monopole lighting for parking lots will be restricted at sixty (60) feet and low mounted lighting is not to exceed twenty (20) feet when within 100 feet of adjacent residential property. The requirements will be applied in the city and parish and to all new construction throughout the city and parish. She compared this ordinance with the landscape ordinance.

Ms. Lilly stated there was a typographical error therefore, suggested the following amendment which was accepted by maker and second: In Section 2b. the language needed to be changed from **landscape requirements** to **lighting requirements**.

(TAPE 1)(SIDE A)(170)AGENDA ITEM NO. 6: O-130-2003 An ordinance of the Lafayette City-Parish Council amending the Comprehensive Zoning Ordinance and the official map of the City of Lafayette, providing for the annexation of additional land into the corporate limits of the City of Lafayette, Louisiana, Case No. Z2003-006 (A) Landreneau Property Annexation, located generally north of East Butcher Switch Road and East of Moss Street, which is located within Council District No. 2 for voting purposes, and assigning a zoning classification of R-1-A (Single-Family Residential). A motion to approve by Castille, seconded by Stevenson, and the vote was as follows:

YEAS: Badeaux, Castille, Williams, Broussard, Trumps, Mouton, Stevenson, Menard

NAYS: None

ABSENT: Benjamin

RECUSED: None

Motion was approved.

Ms. Lilly explained the subject property is approximately 5.14 acres and the property owner is making the request for annexation.

(TAPE 1)(SIDE A)(209)AGENDA ITEM NO. 7: O-131-2003 An ordinance of the Lafayette City-Parish Council amending the Lafayette Comprehensive Zoning Ordinance, Case No. Z2003-008 (TC) CBD Permitted Uses Text Change, to address permitted uses in the Central Business Zoning District.

A motion to approve as amended by Williams, seconded by Castille, and the vote was as follows:

YEAS: Badeaux, Castille, Williams, Broussard, Mouton

NAYS: Trumps, Stevenson, Menard

ABSENT: Benjamin

RECUSED: None

Motion was approved as amended.

Robert Benoit, Director of Planning, Zoning & Codes, explained the text change affects the central business district, which is known as the downtown area. The text change will eliminate additional bars as an allowed use in the central business district. The CBD area is a compact area that has limited parking spaces. Increased service demands have been a concern that affects a variety of city departments as well as the impact of the existing uses of buildings located downtown.

This ordinance would prohibit new bars. Any bar that is currently in operation in the CBD is allowed to remain open. The ordinance would permit bars as an accessory use to restaurants per state law. The purpose and primary function would be food service, serve food on all days of operation, separate sales figures have to be maintained for alcoholic beverages, a fully equipped kitchen for preparation of uncooked foods and must derive greater than 50% gross sales from food. His department was concerned with property rights issues. With the approval of this ordinance, it would allow current bars to continue in operation. If the property owner leased the property and the lessor chose not to reopen, the owner could lease it to someone else who chose to reopen another bar. If the bar becomes vacant and is no longer used as a bar for a period of twelve (12) months or more, the owner loses the non-conformity status. Should the use of the

building be changed from a bar to another type venue, the non-conformity status would be lost.

The Zoning Commission had a public hearing regarding the subject ordinance. Benoit stated there were approximately 15 -20 citizens in attendance, who were all in favor of the text change. They have not received any calls or letters in opposition.

Williams, as the maker, offered the following amendment which was accepted by second to add a new section that would read as follows: ***SECTION 3: The Director of the Department of Planning, Zoning & Codes is hereby directed to provide the Council with a status report with regard to the situation in the Central Business Zoning District relative to bars and lounges not later than twenty-four (24) months from the effective date of this ordinance.***

Upon questioning by Broussard, Benoit recommends to grandfather all those who are currently in operation or those who have filled out the required applications but have not yet opened. Upon questioning by Badeaux, Benoit explained the ordinance would not allow someone who decided to move to another location located in the CBD district to open the same type of establishment, unless the new location was already considered a bar. Menard stated he was not concerned with the number of bars that have opened in the CBD district but has difficulty changing the zoning classification, which originally allowed bars to be established. Benoit stated since the construction of Streetscape, the downtown area has developed into a more desirable environment for citizens.

(TAPE 1)(SIDE B)(001)

Upon questioning by Broussard, Benoit assured that those who have already applied for licenses and permits and have already begun construction, will not be affected by the adoption of this ordinance. Broussard expressed his concerns regarding those business owners who have received permits, started demolition and/or construction and have expended monies but have not received their liquor license. Badeaux suggested limiting the number of bars instead of limiting the current buildings. Benoit responded it could be done by limiting the number of bars or by square footage. Williams stated he has spoken with property owners in the downtown area who have requested a reprieve in terms of the direction LCG is taking. His suggestion is to adopt the ordinance and return in 24 months to review and adjust the ordinance as needed.

Broussard requested to recognize Ms. Adonna Romero, a property owner who is in the process of renovating a building to open a new restaurant and cantina. She has received her demolition permit, a signed lease but has not yet received her liquor permits. She expressed concerns that should the ordinance be approved, if she would be able to continue with her process in order to open the business. Tim Melancon, ATAC Project Manager, explained that individuals pickup applications on a daily basis. His office questions the applicant of the location and what type of business they will be operating. However, many times there is no location but the applicant will fill out the application and return it at a later time. He stated it is possible that individuals have picked up an application and have intentions of operating downtown but have not made that known to his office. If someone will be demolishing or renovating the property, they must apply in Zoning for a certificate of occupancy; therefore, there would be a record that this person has the intention of opening an establishment. In order to ensure that everyone is covered who has intent of opening a bar in the downtown area, Melancon suggested that additional language be included. If the individual has applied for a permit regarding demolition/renovations through Metro Code and/or Zoning and/or has filed for a permit for an alcohol beverage permit prior to the effective date of this ordinance, then that individual would be "grandfathered in".

Eric Clothier, who has purchased the old Lee's Furniture building, has received his demolition permit with the intent of opening a bar. He has already begun the process because the building has three (3) floors and funds are needed to renovate all the floors. Mr. Clothier has already spent monies to purchase the building and begin demolition but was concerned what his status would be with the adoption of the ordinance. Benoit suggested Mr. Clothier turn in the necessary paperwork prior to the signing of the ordinance. Upon questioning by Trumps, Benoit responded that those establishments that are considered as a restaurant/bar, LCG would have the right to review the business' books to ensure these establishments are meeting the 50% sales goal. When the state conducts an audit, they basically check the acquisition of food and liquor. Trumps explained his main concern was of the litter, bottles and the nuisance problems. He felt the bar owners/managers should be responsible for policing these type problems.

The following persons were recognized:

Rob Robison was a resident in downtown at one time who moved away because of the deteriorating environment which made it not feasible to live there any longer. He is also a property owner and business operator and felt there is not an infrastructure in place to handle the amount of trash and security issues that are being generated on a weekly basis. As a business owner on Jefferson Street, he has had a considerable amount of property damage.

Cathy Webre, Director of the Downtown Development Authority stated since the inception of the master plan for downtown Lafayette, there has been much progress. Since 1996, there has been a value of \$43.5 million in permits issued for business development in the downtown area. DDA's goal is to develop an atmosphere that is a civic place for family enjoyment and entertainment.

Mike Hamner, Chairman of the Downtown Development Authority is also a property owner, resident and business owner. The DDA is asking for support of the ordinance in order to determine a balance between the bars, restaurants, residences, retail and professional offices. By having this balance, it will allow for the type of downtown environment that is projected.

Julie Calzone is a property owner and a resident of the downtown area who is in support of the ordinance.

(TAPE 2)(SIDE A)(001)

Barry Sallinger has lived downtown for approximately 10 years and felt the issue should be in the best interest of economics. As a business owner, he is asking for an opportunity to allow other business owners to be a part of the diversity for downtown. By not having limits on bars, it is not allowing the growth for total economic diversity.

Patrick Brasseaux expressed his concerns regarding the increasing number of bars downtown and Jefferson Street being renamed as another "Bourbon Street". He is opposed to same.

The following persons signed a blue sheet in support of the issue but did not wish to speak:

Dr. Frazer Gaar
Sybil Gaar

APPEAL

(TAPE 2)(SIDE A)(088)AGENDA ITEM NO. 8: An appeal of the Planning Commission's action concerning Chateau de Leon Golf Course.

By request of the developer's attorney, this item was pulled and deferred until July.

Chair Trumps recognized Ms. Jo Paula Lantier whose family donated property for the construction of the S. Domingue Road Extension. Her concerns were not of the development of the golf course but she wanted to ensure that the Administration continue with the original plans of the road project. Bill Campbell, Associate Director of Public Works and CAO Glenn Weber both stated their commitment is to complete the road project as originally planned. The golf course development would require realignment of the road extension.

REPORTS AND/OR DISCUSSION ITEMS

(TAPE 2)(SIDE A)(164)AGENDA ITEM NO. 9a: Status of Brookhollow gas pipeline

Bill Campbell explained he has received a response regarding the pipeline and that should be completed within a week. The next step would be to get the landowners to agree on the release of the rights-of-way. Some of the property owners want the downstream of Edith Coulee dug before the lateral, which will not be completed in time.

(TAPE 2)(SIDE A)(200)AGENDA ITEM NO. 9b: Status on Parc Pardue project

Bill Campbell explained the right-of-way agents have spoken with the landowners who have refused to agree. After receiving permission from the Corps of Engineers, work is being done on the main channel. The landowners are requesting excavation of the coulee beyond the Lafayette Parish line. During a recent meeting in Iberia Parish, he was informed that the location of the bayou going into Lake Peigneur was actually seven (7) higher than the flow line of the ditch. He suggested Lafayette, Iberia and Vermillion Parishes gather together and contact the Congressional Delegation to ask for assistance from the Corps of Engineers to get the lake dredged.

(TAPE 2)(SIDE A)(250) AGENDA ITEM NO. 9c: Update on herbicide program

Upon questioning by Broussard, Campbell explained the parish has been split into two districts – east side and west side. Each side is contracted with two separate contractors. The east side contractor has completed his first application and the west side contractor is approximately 70% completed. Campbell felt confident there would be three (3) rounds of spraying by the end of the contract period. Upon questioning by Badeaux, Campbell explained there is a separate contract for roadside spraying. Badeaux requested a status report.

(TAPE 2)(SIDE A)(334)AGENDA ITEM NO. 9d: Discuss carwash at corner of University and Rosewood

Williams explained there was a group of citizens who ventured throughout the city to determine problem areas. The subject matter is one of the issues that was determined to be a problem. It has been an ongoing problem for the adjacent neighborhood.

The following person was recognized:

Jenelle Chargois, Chairwoman of the Lafayette Chapter of the NAACP, explained the organization has developed a program called “Operation Tighten Up” which is an opportunity for members of the NAACP to walk the community and attempt to determine the concerns and the needs of the people in the community. The majority of the residents in the Rosewood neighborhood expressed their concerns regarding drugs at the carwash along with a number of illegal activities taking place. The owner of the carwash is willing to work with the neighborhood and the local authorities to determine a solution and work on solving the concerns.

Upon questioning by Badeaux, Chief Boudreaux stated, without divulging information, his department is working on determining a solution and making the area a safe place.

COMMENTS FROM THE PUBLIC

(TAPE 2)(SIDE A)(460)AGENDA ITEM NO. 10: Comments from the public on other matters.

The following persons were recognized:

Mary Lawyer, speaking on behalf of her brother who is ill, has had a lien placed on his property due to a grasscutting and cleanup bill. His property was inspected by Environmental Quality and he was notified to cut his grass. Because he was ill and in the hospital at the time, EQ hired a contractor to cut the grass therefore billing him for the contract work. CAO Weber requested the Council office provide him with all the necessary information and he agreed to look into the matter.

Harold Arceneaux expressed his concerns regarding the recent issue of students parking in a designated handicap slot at a local private school. He felt the fines that were issued to the students should be paid and they should not receive special treatment because of their status in the community.

(TAPE 2)(SIDE B)(001)

Jeffery Landry is concerned with the debris that still remains from Hurricane Lili and hopes local small contractors will have the opportunity to assist in the cleanup. He also expressed his concerns with the lack of covered seating at bus stops, suggested investing money into Evangeline Downs Race Track to create new jobs and is in support of Mr. Arceneaux’s concerns regarding handicap parking.

Patrick Brasseaux questioned what the status was on the mosquito abatement program. Trumps

suggested he call Mike Mouton who oversees the contract.

Wallace Senegal Jr. thanked the Council for assistance in different requests that he has made and is appreciative of LCG's assistance.

Phillip Martin, an employee of downtown, expressed his concerns regarding the issue of vagrants. He has personally experienced problems with the vagrants as well as other patrons of downtown. There has been a problem with drugs, harassment and intoxication at all hours of the day. He would like to see an increase in police presence. He continued by saying that on a nightly basis he and fellow workers clean up the trash around his place of employment as well as the surrounding establishments.

ADJOURN

There being no further business to come before the Council, Chair Trumps declared the meeting adjourned.

Norma A. Dugas
Clerk of the Council